

January 28, 2016
Via Electronic Mail

Paul Wiedefeld
General Manager/Chief Executive Officer
Washington Metropolitan Area Transit Authority (WMATA)
600 5th St, NW
Washington, DC 20001

Dear Mr. Wiedefeld,

The undersigned disability rights, labor, social justice and transit equity organizations, and individuals, write to convey our support for alternative paratransit programs. We also write to share concerns regarding a proposal referred to by WMATA staff during Accessibility Advisory Committee (AAC) meetings this month. MetroAccess eligible individuals in the District now use the Transport DC service to travel anywhere within the District via sedan or wheelchair accessible taxi. Surrounding jurisdictions, and residents, have expressed interest in replicating the program.

We have heard members of the WMATA Board may support similar programs in Maryland and Virginia, but also that there may be interest in allowing transportation network companies (TNCs) such as Uber and Lyft to provide alternative paratransit service as well. This is of grave concern to our coalition for many reasons, most importantly because neither company has adequate access to wheelchair accessible vehicles.¹ We urge the WMATA Board and staff to consider an alternative paratransit program that: awards access for all; enforces compliance with the Americans with Disabilities Act of 1990 (ADA); prioritizes safety; improves working conditions, wages, benefits, and training of employees; and will result in the growth of the local economy and small businesses.

Accessible Transportation Needs and Barriers

DC, Maryland and Virginia area (DMV) residents with disabilities of all ages and backgrounds use the full WMATA public transit system -- bus, rail, and MetroAccess -- every day. DMV residents use WMATA to attend school, take part in religious services, shop, attend medical appointments, vote, work, spend time with friends, and otherwise participate in and contribute to the community. WMATA is often touted as one of the most accessible transit systems in the country, yet significant barriers remain.²

A lack of adequate accessible, affordable housing near transit stops places Metro services out of reach for many. In addition, inaccessible Metro infrastructure such as elevator outages, and broken intercom systems, as well as inclement weather combined with inaccessible bus stops and sidewalks are

¹ Currently, Uber provides wheelchair accessible vehicle (WAV) service in the District through partnerships with taxi drivers, however this may not be a sustainable solution. According to a recent District of Columbia Taxicab Commission Accessibility Advisory Committee (DCTC AAC), as a result of competition, it is common for the numbers of taxis to decrease in a city in which TNCs are operating. A decrease in the numbers of accessible taxis in San Francisco has been attributed to the rise of TNCs companies. In early 2013, there were 100 WAV taxis in San Francisco. There are now only 64. Drivers and companies are no longer purchasing WAV medallions in New York City. The DCTC AAC has expressed concern that the District may face a similar loss. (DCTC AAC 2015 Annual Report)

² Inadequate accessible transportation is a national problem. Adults with disabilities are much more than twice as likely as those without disabilities to consider inadequate transportation a problem. (*Kessler Foundation/NOD Survey of Americans with Disabilities, Harris Interactive, 2010*).

significant barriers to Metro for many.³ WMATA is required to provide paratransit and other transportation services to people with disabilities who are unable to use the system because it is inaccessible or due to significant disability.⁴

MetroAccess Fills a Gap

MetroAccess, WMATA's paratransit service, fills a gap for those unable to make use of Metro bus and rail. WMATA outsources contracts to six private corporations to provide a necessary and essential door to door service. Customers must reserve their shared ride at least a day in advance. MetroAccess call center workers and drivers are committed to their roles, but are paid substandard wages and face abusive working conditions. Current MetroAccess providers are transportation companies that must be strictly overseen to ensure that safety and anti-discrimination provisions under the ADA are followed.

Alternative Paratransit Solutions: Transport DC

WMATA has partnered with the District Department of Transportation, and the DC Taxi Commission, to provide alternative paratransit service through Transport DC. MetroAccess eligible passengers may call an hour in advance to reserve a single trip (ie, not a shared ride) taxi ride in a sedan or wheelchair accessible van. Transport DC has been in operation a little more than a year and has been hugely successful. In FY15, its first year, Transport DC provided more than 47,000 trips within the District for a \$5 flat fee. Ridership continues to increase. For the first time MetroAccess customers had access to quality transportation in case of an emergency. In addition, savings to the DC budget in the 2nd half of FY15 is estimated at 1.8 million.

Customers in surrounding jurisdictions, Maryland and Virginia, have been calling for an alternative paratransit solution similar to Transport DC. Transportation providers in the area such as the MontCo Union Taxi Co-operative (Co-op) have been working towards building a fleet of wheelchair accessible taxis. The Co-op is also developing an app that would allow them to provide quality, accessible taxi service to Maryland MetroAccess customers.

Alternative Paratransit in Maryland: Concerns and Recommendations

In an effort to increase transportation options for Maryland residents, WMATA staff referenced the possibility of a proposal for future service providers at the January 2016 WMATA AAC meeting, and the MetroAccess Subcommittee meeting. We strongly support providing alternative service options to MD and VA residents. Should WMATA choose to provide contracts or work with companies in MD or VA to provide alternative paratransit, we ask that WMATA Board and staff consider the following.

Alternative paratransit service contracts should be awarded to companies that:

1. Prioritize access for all and ensure adequate numbers of wheelchair accessible vehicles are available. It is our understanding that Lyft has no available accessible vehicles and Uber may not have any in MD, or an adequate supply. Provision of service only to ambulatory passengers (those that do not require a wheelchair accessible vehicle) will create a two-tiered, segregated alternative paratransit system.
2. Prioritize working conditions of their drivers and other workers, and prioritize hiring of any MetroAccess workers displaced by the transfer of work to taxi or TNC-based paratransit

³ The Transit Riders for Equity & Accessibility's *Call to Action: Ensure WMATA's Access to All* (10/28/15) provides a select list of issues to address to improve WMATA accessibility.

⁴ 49 CFR § 37.123 (1991)

programs. Good working conditions and pay will lead to higher quality and consistent service and less turnover, as reinforced in recent reports from the FTA and GAO.

3. Prioritize compliance, and accept their role as a transportation provider under the ADA. The ADA provides stringent anti-discrimination guidelines that ensure all passengers, including those with service animals and wheelchairs, are protected. Please consider any outstanding litigation regarding compliance.
4. Prioritize safety of the passengers and workers, and accept liability.
5. Prioritize accessibility through all of its business lines. Any alternative paratransit contract should be awarded to companies that provide wheelchair accessible service to all of their customers in any region where they do business. Awarding contracts that do not provide access to all WMATA customers sends a message to the riding public that WMATA does not prioritize access.
6. In addition, we urge you to consider the possibility of awarding the contract to more than one company. Allowing more than one company, most especially local businesses, to participate will contribute to the growth of the DMV economy, and allows for trips to be shifted in response to growing pains as needed. Providing these contracts to more than one company is considered best practice amongst transit agencies.

Our coalition applauds WMATA's efforts to ensure passengers' access to quality transportation options in the DMV. We ask you to adopt alternative paratransit solutions that not only ensure the sustainability of MetroAccess in the long-run, but also benefit the entire community. Send the message that access for all in the DMV is a priority.

Sincerely,

Becaye Traore, Board Member, MontCo Union Taxi Co-operative

Charlie Crawford, Member, WMATA Accessibility Advisory Committee (*as an individual*)

Dennis Butler, Deputy Chair, DCTC Accessibility Advisory Committee (*as an individual*)

District of Columbia Developmental Disabilities Council

Heidi Case, Project ACTION! Advisor

Julie Piché, CEO, All Access Taxi, LLC

Lawrence Hanley, International President, Amalgamated Transit Union

Mary Jane Owen, Disability Concepts in Action

Nadia Ibrahim, Ms Wheelchair Maryland 2016

Peter Ibik, President, Montgomery County Professional Drivers Union

Prince Georges' Advocates for Community-based Transit (ACT)

Seth Morgan, Chair, Montgomery County, MD Commission on People with Disabilities (*as an individual*)

Tefere Gebre, AFL-CIO Executive Vice President

United Spinal Association

CC: WMATA Board of Directors

WHAT: WMATA BOARD OF DIRECTORS MEETING, PUBLIC COMMENT
WHEN: 1 PM, THURSDAY, JANUARY 28, 2016
WHERE: 600 5th Street, NW, Washington, DC 20001

Talking Points for Ms. Nadia Ibrahim

Thank you for the opportunity to comment. My name is Nadia Ibrahim. As Ms. Wheelchair Maryland 2016, my role includes improving access for and understanding of the needs of people with disabilities through leadership, advocacy, and education.

I live in Montgomery County, work in Washington, DC and regularly rely on MetroAccess paratransit to get to my workplace and other places in the Metro area. Accessible transportation is an essential component to maintaining my job as a senior policy advisor, living independently, and meaningfully participating in and contributing to society.

I urge WMATA to establish an alternative paratransit program in the Metro region, similar to Transport DC, that provides single --not shared-- ride door-to-door taxi service in sedans and accessible vans available within an hour of scheduling. Extending this popular program to customers in Montgomery County will ensure access to the same types of travel options available to residents throughout the region—regardless of disability status. Without question, it will also yield higher customer satisfaction.

However, I believe that awarding a contract to a TNC— such as Uber or Lyft— would fail to sufficiently address the issues at hand. Presently, neither company has adequate access to wheelchair accessible vehicles nor have they demonstrated a widespread commitment to prioritizing compliance under the ADA.

WMATA has an opportunity to dramatically improve the lives of people with disabilities in this region by assuring they have equal access to on-demand reliable, safe and accessible transportation --so they can work, and live independently. I look forward to working with WMATA to implement an effective solution.

Thank you.

For more information, please contact:
Nadia Ibrahim, MA, LGSW
Ms. Wheelchair Maryland 2016
Phone: (240) 401-2285
E-mail: mswheelchairmaryland2016@gmail.com

ALL ACCESS TAXI

THE ONE FOR ALL

Dear GM Wiedefeld and Members of the WMATA Board,

Having recently fought for, and been awarded 50 accessible taxi certificates in Arlington County, I can tell you first hand the challenges that privately owned companies face trying to put accessible taxis on the road. Not only are the vehicles more expensive, making it a less attractive option for available drivers, but the competitive nature of Uber has caused many drivers to be unwilling to take the risk of driving a taxi at all, much less an accessible one.

Recently, All Access Taxi worked closely with Uber to try to bring Uber Taxi to the Arlington County area. We were hoping to be able to use their strengths to help bring business back to taxicabs, and to partner with them to make a fleet of accessible taxis a reality. For the contacts and support we provided, Uber promised to work with us to bring an Uber Access button to the county, which would help provide incentive to drivers to make the leap into the accessible driver community by driving business to them via the app.

The initiative quickly gained speed, and within a few weeks, Uber had signed on almost 350 drivers in the Arlington community. They promised to work on an incentive program for any drivers who would take accessible rides. Less than a week later, with little to no explanation, they pulled the rug out from under the entire program and have not returned any of my calls, or any of the calls from the 350 drivers they had promised so much to the week before.

It disturbs me greatly that WMATA is considering funding a company that already has billions behind it. I truly feel that your support is needed much more at the community level, in helping to make driving an accessible vehicle a more affordable option for drivers, and accessible taxis a reality for people with disabilities.

My fight for accessible taxis stemmed from a desire to provide truly equitable rides to the disabled community. A truly equitable ride means the same wait time, the same fare, and the same service. Those things are not a guarantee with Uber, nor are they a priority to them. My dream for a person with a disability to be able to pick up a phone, call or hail a taxi with an app, and have their ride show up within minutes is within our grasp.

The community is yearning for it, and there are plenty of us out there that want to help provide the service. We just need help and support to ensure that our drivers will be able to afford the vehicles. We need help and support to ensure that we can create a movement that will provide adequate business for our drivers. We need help and support to create and utilize a universal app in the area, with an accessible vehicle option. We need help and support to get our uniformed and highly trained drivers on the road with accessible vehicles. We need help and support to provide this crucial service to the community of disabled citizens of, and travelers to, our Nation's Capital.

So, as WMATA considers how they might help put more accessible vehicles on the road, we would hope that they would consider the companies that already exist. The companies that are already fighting for equitable, accessible transportation in the area. The companies that have the needs of the community at the core of their mission statement, and as their impetus for being in business in the first place.

Sincerely



Julie A. Piché, MBA

CEO, All Access Taxi

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Montgomery County Taxicab Alternative to MetroAccess

Objective

To establish service in Montgomery County that would provide MetroAccess eligible customers the option to choose either a taxi ride or MetroAccess service when traveling to and from destinations within the Montgomery County portion of the MetroAccess service area.

Summary

Access to paratransit service is a civil right granted by the Americans with Disabilities Act. It is public transportation comparable to a region's fixed route public transit service for people whose disabilities prevent them from using the fixed route services. The cost of providing paratransit service continues to increase, both in Maryland and nationally.

To help ease these rising costs, the Washington Metropolitan Area Transit Authority (Metro) has been working with local jurisdictions to help establish alternatives for customers who are eligible for MetroAccess. One example is Metro's partnership with the District of Columbia Taxicab Commission to offer DC residents the option to take a cab ride for a flat \$5 fare as an alternative to calling MetroAccess for the same ride. While a MetroAccess trip cost the District slightly more than \$50 per trip, the cab rides cost the District only \$28 per trip. (The District also incurs some additional administrative cost in the management of this service.)

This service ensures District residents who are in need of specialized transportation can still enjoy their civil right to comparable public transit services (i.e. MetroAccess), but also have access to alternative transportation services that can greatly improve their travel experience, while at the same time greatly reduce the overall transportation costs the District incurs annually in funding this service.

This document proposes to demonstrate the ability to achieve these two objectives in Montgomery County through the development of a pilot transportation service using taxicab service provided by members of the Montgomery County Professional Drivers Union (MCPDU). This service would offer customers a better transportation experience (direct trip, same-day service, flat fare, etc.) and more flexible than what is available via the MetroAccess shared ride experience. This service can allow Montgomery County help the State of Maryland realize approximately \$25 of cost avoidance savings per trip, or approximately \$1.25 million.

Montgomery County Taxicab Alternative to MetroAccess

Demand for Paratransit Service and Rising Cost

Paratransit service is a civil right granted by the Americans with Disabilities Act (ADA). It provides public transportation service comparable to a region's fixed route public transit service for people whose disabilities prevent them from using the fixed route transit services. In the Washington metropolitan region, paratransit is provided by the Metro's MetroAccess service.

The demand for MetroAccess service continues to grow. Increasing numbers of older adults and people with disabilities are turning to MetroAccess for their transportation needs. From 1999 to 2009, for example, the number of MetroAccess rides increased tenfold. By comparison, over the same period Metrobus and Metrorail ridership grew by only 26%. In conjunction with the growth in demand for MetroAccess service has been a corresponding increase in the cost of providing MetroAccess service. The cost of each MetroAccess trip is more than \$50. When that cost level is combined with the growth in population of older adults and people with disabilities, it places the funding of MetroAccess service on an unsustainable growth path.

Addressing Sustainability of Paratransit Service

As part of a comprehensive approach to addressing the unsustainable path MetroAccess demand and costs are producing, Metro has been proposing the development of alternatives that ensure the region's residents enjoy their civil right to comparable public transit service (i.e., MetroAccess), but have the option to access alternative transportation services that can improve their travel experience while at the same time greatly reduce the overall transportation costs the funding jurisdictions incur each year.

The option to use demand response taxi service over MetroAccess, which requires 24 hour advance reservations and is a shared-ride experience, provides customers with more flexibility and a better travel experience through the following: ride quality, direct trip, and return trip flexibility.

MCPDU proposes to offer Montgomery County residents, who are certified as eligible for MetroAccess service, the option to choose a taxi ride for trips they otherwise would schedule and use MetroAccess for. The trips under this proposal would be restricted to only those that begin and end within the Montgomery County portion of the MetroAccess service area.

This option not only offers customers a transportation experience that is better and more flexible than the MetroAccess shared ride experience, but is expected to help County leaders help the Maryland Department of Transportation (MDOT), which pays for MetroAccess service in Maryland, realize cost avoidance savings of about \$25 per trip over a comparable MetroAccess trip. The County can then discuss ways for the State to recognize the fiscal benefits this County initiative is achieving on behalf of MDOT. If next year 50,000 trips were provided by the MCPDU proposal as opposed to MetroAccess, MDOT would realize savings of nearly \$1.25 million.

Montgomery County Taxicab Alternative to MetroAccess

Dialysis Pilot Project – Potential Financial Impact

The cost of each MetroAccess at slightly more than \$50. In the past 12 months, the more than 7,400 Montgomery County residents who are eligible for MetroAccess took nearly 269,000 within the County. Those trips cost MDOT over \$13.4 million. If 50k of those trips could be provided by an alternative service, MDOT could save nearly \$1 million (this calculation takes into account some form of reimbursement from MDOT to the County as recognition of the fiscal benefits this initiative accrues to the State.)

Per trip Cost Comparison and Potential Savings			
Proposed number of Intra-County Trips	MetroAccess @ \$50 per trip	Comparable Taxicab @ \$25 per trip	Potential Savings
50,000	\$2.5 Million	\$1.5 Million	\$1.25 million

Aspects of the Pilot Project

1. Eligibility: Montgomery County residents who are certified as eligible for MetroAccess service;
2. Trip Limitations: Must begin and end within the Montgomery County portion of the MetroAccess service area;
3. Payment Methodology: Cash;
4. Fare Paid by Customer: \$5 per one-way trip;
5. Total Fare Received by Taxicab Company: \$30 per trip (\$25 from the County plus \$5 from the customer)
6. Requirements for Taxi Participation:
 - i. Certification of completed training for Serving Customers with Disabilities; and
 - ii. Agreement to invest in at least 1 accessible taxi vehicle per 5,000 trips provided under this service.

Steps to Implementing the Pilot Project

1. Program Establishment
2. Funding: The pilot project requires an annualized investment by the Montgomery County Government of \$1.5 million.
3. Selection of Service Providers
4. Training of Service Providers
5. Coordination with MetroAccess Staff
6. Customer Notification